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FACSIMILE TRANSMITTAL FORM	Application Number	09/820398
	Filing Date	March 29, 2001
	First Named Inventor	Yeung, Herbert Kam-Wah
	Art Unit	3627
	Examiner Name	Andrew Rudy
Fax: 703-872-9306	Attorney Docket Number	56380US002
Total Number of Pages in This Submission: 3		
Date: January 19, 2005	Attorney for Applicant: Colene H. Blank	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53	<input type="checkbox"/> Request for Refund	
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Customer Number

Patent
Case No.: 56380US002**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: YEUNG, HERBERT KAM-WAH
Application No.: 09/820398 Group Art Unit: 3627
Filed: March 29, 2001 Examiner: Andrew Rudy
Title: **SYSTEM AND METHOD FOR THIRD PARTY MANAGEMENT
OF PRODUCT MANUFACTURE ORDERING BY A SUB-END-
USER BASED UPON APPROVED PRODUCTS OF END-USER**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<p align="center">CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]</p> <p>I hereby certify that this correspondence is being:</p> <p><input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p><input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.</p> <p><i>Jan 19, 2004</i> <i>Shannon M. Bruce</i> Date Signed by: Shannon M. Bruce</p>

Dear Sir:

This is in response to the Office Action mailed December 20, 2004. Claims 1-24 are pending. Claims 1-24 were restricted under 35 USC § 121 as follows:

- I. Claims 1-10 and 21 are said to be drawn to a system, classified in Class 235, subclass 383;
- II. Claims 11-20 are said to be drawn to a method for ordering a product, classified in Class 705, subclass 26;
- III. Claims 22-24 are said to be drawn to a network system, classified in Class 709, subclass 223.

Election

In response, Applicants elect Group I, with traverse.

Reconsideration and modification of the restriction requirement is respectfully requested.

Applicants submit that the Groups I and II and Groups I and III claims are so interrelated that a search of one group of claims will reveal art to the other. This argument is reinforced by the previous office action dated March 5, 2004, in which the Examiner reported on all claims in Groups

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I and II without a restriction requirement. Moreover, the classification of Groups I and II and Groups I and III claims in different classes and subclasses is not sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I and II and Groups I and III, a separate examination of the claims in Groups I and II and Groups I and III would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II and Groups I and III would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I and II and Groups I and III, it would place an undue burden by requiring payment of separate filing fees for examination of the nonelected claims, as well as the added costs associated with prosecuting multiple applications and maintaining multiple patents.

Conclusion

Applicants have elected Group I. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

Date

By: _____

Colene H. Blank, Reg. No.: 41,056
Telephone No.: (651) 737-2356

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833